

STANDARD CRIMINAL 18

CREDIBILITY [BELIEVABILITY] OF WITNESSES

In deciding the facts of this case, you should consider what testimony to accept, and what to reject. You may accept everything a witness says, or part of it, or none of it.

In evaluating testimony, you should use the tests for truthfulness that people use in determining matters of importance in everyday life, including such factors as: the witness's ability to see or hear or know the things the witness testified to; the quality of the witness's memory; the witness's manner while testifying; whether the witness had any motive, bias, or prejudice; whether the witness was contradicted by anything the witness said or wrote before trial, or by other evidence; and the reasonableness of the witness's testimony when considered in the light of the other evidence.

Consider all of the evidence in the light of reason, common sense, and experience.

SOURCE: Preliminary 4 and Standard 6, RAJI (Civil) 3d.; Rule 21.1, Arizona Rules of Criminal Procedure: "The law relating to instructions to the jury in civil actions shall apply to criminal actions, except as otherwise provided."

USE NOTE: If a witness has been impeached pursuant to Rule 609 with evidence of a prior felony, Standard Criminal 19 (witness was the defendant) or Standard 20 (third-party witness) should also be given. If character evidence was admitted pursuant to Rule 404, the court should consider either modifying Standard 19 or Standard 20 if given or giving a separate instruction regarding for what purpose(s) the jury may consider the Rule 404 evidence.
